



Wayne Stenehjem
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STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

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OPINION

July 27, 2018

Mr. Peter N. Wax
Environmental Scientist
Division of Water Quality
Environmental Health Section
918 E Divide Ave
Bismarck, ND 58501-1947

Dear Mr. Wax:

The Office of Attorney General has examined the proposed amendments to N.D.A.C. ch. 33-16-02.1 and proposed new N.D.A.C. ch. 33.1-16-02.1 concerning standards of quality for waters of the state, along with the notice of the proposed rules, the publication of that notice, and the filing of that notice with the Legislative Council. This office has also determined that 1) a written record of the agency's consideration of any comments to the proposed rules was made, 2) a regulatory analysis was issued, 3) a takings assessment was prepared, 4) a small entity regulatory analysis and an economic impact statement were not prepared because the agency believes the proposed rules will not impact small entities, and 5) the proposed rules are within the agency's statutory authority.

These administrative rules are in compliance with N.D.C.C. ch. 28-32 and are hereby approved as to their legality. Upon final adoption, these rules may be filed with the Legislative Council.

Sincerely,

Wayne Stenehjem
Attorney General

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cc: Vonette Richter, Legislative Council